



## Policy and Procedure

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## SECTION 1 – INTRODUCTION

### CONTEXT

From 12 March 2014, the Australian Privacy Principles (APPs) replaced the National Privacy Principles and Information Privacy Principles. The APPs were established under the *Privacy Amendment (Enhancing Privacy Protection) Act 2012*, which amends the *Privacy Act of 1988*, is designed to protect your rights with respect to personal information that organisations may hold, to ensure you are aware of your rights and of what information is held.

### PURPOSE

This Privacy Policy and Procedure ensures you are aware of what information we hold about you and your rights regarding access to this information.

### SCOPE

This policy and procedure applies to all students enrolled with MHM Higher Education Pty Ltd trading as the Australasian College of Health and Wellness (ACHW).



## SECTION 2 – POLICY

### PRINCIPLES

The Privacy Policy and Procedure is committed to and guided by the principles of:

- access
- equity
- fairness
- ethical behaviour

### LEGISLATION

The follow policy and procedure is written in accordance to the following Australian Government legislation:

- Privacy Act 1988 and Australian Privacy Principles (2014)

### POLICY

The Australasian College of Health and Wellness (ACHW) an approved Higher Education Provider with responsibility for delivering higher education. ACHW collects and stores personal information on its learners and industry clients. ACHW complies with the Privacy Act 1988 (Commonwealth). This policy describes how ACHW collects, manages, uses, discloses, protects, and disposes of personal information in accordance with the thirteen Australian Privacy Principles (APPs) outlined in Schedule 1 of the Privacy Amendment (Enhancing Privacy Protection) Act 2012.

### DEFINITIONS

Under the Privacy Act 1988 and Privacy Amendment (Enhancing Privacy Protection) Act 2012 (s6(1)), personal and sensitive information is defined as follows:

- *Personal information*: “information or an opinion about an identified individual, or an individual who is reasonably identifiable: (a) whether the information or opinion is true or not; and (b) whether the information or opinion is recorded in a material form or not.”
- *Sensitive information*: “(a) information or an opinion about an individual’s: (i) racial or ethnic origin, or (ii) political opinions, or (iii) membership of a political association, or (iv) religious beliefs or affiliations, or (v) philosophical beliefs, or (vi) membership of a professional or trade association, or (vii) membership of a trade union, or (viii) sexual preferences or practices, or (ix) criminal record, that is also personal information; or (b) health information about an individual; or (c) genetic information about an individual that is not otherwise health information; or (d) biometric information that is to be used for the purposes of automated biometric verification or biometric identification; or (e) biometric templates”.

## SECTION 3 – PROCEDURE

### AUTHORITY TO COLLECT AND STORE INFORMATION

ACHW is an approved Higher Education Provider by the Tertiary Education Quality and Standards Agency. This registration is issued under the authority of the *Higher Education Support Act 2003*. This legislation requires ACHW to collect personal and sensitive information from its learners.

The data provision requirements require ACHW to collect data from learners in accordance with the Department of Education. This is a complex information standard that defines information about who the learner is, where the training is delivered and what they are studying. The Department of Education and Training require ACHW to retain and store this information for up to 30 years and to report training activity to government agencies in accordance with mandatory reporting requirements.

Together these requirements form a statutory obligation to collect, store and report information of any learner participating in tertiary education.

### COLLECTION AND USE

ACHW collects personal information, either directly or indirectly, that is reasonably necessary for, or directly related to its delivery of the services it offers. Some of the information collected may be regarded as 'sensitive' as defined by the Privacy Act. In broad terms the kinds of personal information and purposes for which it is collected are:

#### *Solicited information*

- Contact information such as name, organisation, position, address, telephone, and email are collected for marketing, support services, mandatory reporting and for communicating with stakeholders as part of our day to day operation.
- In addition to information collected training activity, ACHW will also collect, store and report information relating to satisfaction surveys, complaint handling and on our client employers.
- Names, addresses, phone numbers, emergency contact details, bank account details and other employment related information is collected from employees for the purpose of managing human resources. The management of staff personal information complies with this policy.

### COLLECTION METHODS

- Learner personal and sensitive information as well as training activity information is prescribed by the Department of Education and Training. This information is collected directly from learners using enrolment forms which may be paper based or electronic and other administrative forms including but not limited to



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complaint forms, recognition of prior learning applications, requests for refund, course transfer applications, etc.

- Survey responses are collected using our Surveys which are issued in electronic format.
- Enquiry information from prospective learners including personal contact information is collected directly from individuals who make data requests either by telephone or email in person or via our website.
- ACHW personal information is collected from individuals on employment commencement.

### SENSITIVE INFORMATION

- Personal information collected by ACHW that may be regarded as 'sensitive' under the Privacy Act includes:
  - 'Disability' and 'long-term impairment status' (health); and 'indigenous status', 'language spoken at home', 'proficiency in spoken English', 'country of birth' (implies ethnic/racial origin).
  - 'Dietary requirements' (health-related) are collected for event catering purposes only.
  - Biographical information, which may contain information on 'affiliations' and 'membership of a professional or trade association' are obtained from key note speakers for event marketing purposes.
  - 'Memberships of professional associations' and 'health and work injury information' is collected from ACHW employees for HR management purposes.

### DIRECT MARKETING

ACHW respects an individual's right not to receive marketing material, and provides an option within communications and on its website for individuals to unsubscribe from receiving marketing material. ACHW conducts its marketing communications and dissemination of service information in accordance with Australian Privacy Principle 7 (Direct marketing), the Spam Act 2003 (in respect of electronic communications), and the Do Not Call Register Act 2006. It is not, however, ACHW's practice to 'cold call' for the purpose of marketing its products and services.

### GOOGLE ANALYTICS AND COOKIES

Google Analytics is a web service provided by Google Inc. Cookies are used to generate data on website activity and usage. The cookies, which include IP addresses, are transmitted to and stored in Google servers in the United States where they are used to compile web-use reports. Google may transfer this information to third parties, where required by law, or for information processing on its behalf. Google will not associate IP addresses with any other data held by Google. More information on Google's privacy policy can be found at: <https://www.google.com.au/intl/en/policies/privacy/>. It is possible to disable cookies by adjusting web-browser setting and to opt-out of Google Analytics (<https://tools.google.com/dlpage/gaoptout>). Doing so, however, may affect web-site functionality.



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The ACHW web servers automatically log information such as server address, date and time of visit and web pages accessed. No personal information is recorded. These logs are used for website management and improvement.

### UNSOLICITED PERSONAL INFORMATION

If ACHW should receive unsolicited personal information, it will be treated and managed according to the Australian Privacy Principles.

### NOTIFICATION OF COLLECTION

ACHW aims to notify individuals of the collection of their personal information before, or at the time of collection, or as quickly as possible thereafter. Notifications are usually in writing, but may be verbal for telephone help-desk services, or research conducted by telephone interview.

- Marketing – notification is provided on our website course application page. Individuals are also notified at the time of collecting personal information for events. A privacy notice is provided in all ACHW marketing communications.
- ACHW staff – Notification is provided on employment commencement.

### DISCLOSURE OF PERSONAL INFORMATION

ACHW does not disclose personal information other than for the purpose for which it was collected, or an individual has consented to a secondary purpose, or an individual would reasonably expect this (such as receiving communications about upcoming events), or if required by law.

ACHW may share personal information with the Commonwealth government in accordance with Commonwealth contractual obligations. In these circumstances ACHW will take reasonable steps to inform and seek consent from the individuals concerned and take all reasonable steps to ensure that the recipient handles the personal information according to the APPs.

ACHW does not sell its lead lists to third-parties for marketing purposes.

ACHW does not disclose personal information to overseas recipients. While people around the world can access material published on our website, no statistical or research publications contain identifiable personal information.

### MANAGEMENT OF PERSONAL INFORMATION

ACHW endeavours to ensure the personal information it collects and uses or discloses is accurate, up to date, complete and relevant. ACHW routinely updates the information held in its customer relationship management system. In addition to periodically checking with stakeholders if their personal contact details have changed.

### ACCESS TO AND CORRECTION OF PERSONAL INFORMATION

Individuals may, subject to the exceptions prescribed by the Australian Privacy Principles, request access to and correction of their personal information where this is collected directly from individuals by ACHW.



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ACHW does not charge for giving access to or for correcting personal information.

Requests for access to or correction of personal information should be made in writing. Requests will be answered within 14 business days.

### INFORMATION RETENTION AND DISPOSAL

Personal information is held in electronic format:

- Information collected from learner enrolment applications and survey responses is held in databases.
- Names and contact details of stakeholders are held in the Student Management System and email contact lists.
- Names and contact details collected during the delivery of services may be held either in electronic form in ACHW's document management system.
- Personal staff information is held in the HR management, pay roll database.
- Backup copies of all electronic files held in ACHW's systems are kept in the event of system failure/loss. All backup copies of system files are secured.

ACHW retains personal information for 30 years. When personal information is no longer necessary for ACHW's business functions, and it is lawful to do so, ACHW destroy the information.

### INFORMATION SECURITY

ACHW takes active steps to protect personal information from misuse, interference and loss, and from unauthorised access, modification or disclosure.

- ACHW's systems and internal network are protected from unauthorised access using appropriate technologies. Most system data transferred over the internet is protected by Secure Socket Level protocol (SSL). The inherent risks associated with data transmission over the internet are, however, commonly acknowledged. Individuals, who do not wish to provide their personal information via the online website forms have the option of mailing this information to ACHW.
- Access to the Student Management System is protected through user log-on and password, and assignment of user access rights.
- Third-party providers used by ACHW for the delivery of services are required to be compliant with the Australian Privacy Principles and offer appropriate safeguards to protect personal information.
- ACHW's premises and data storage systems are fully secured. ACHW practices clean-desk policy and locking workstations when working with personal information. Paper documents containing names and addresses are required to be locked away and shredded when destroyed. All hardware is properly 'sanitised' before disposal.



### **COMPLAINTS AND CONCERNS**

Complaints or concerns about ACHW's management of personal information should be directed in writing to [compliance@scentia.com.au](mailto:compliance@scentia.com.au). ACHW will respond in writing within 14 business days.



## SECTION 4 – REFERENCE AND SUPPORTING INFORMATION

### DEFINITIONS

Word/Term	Definition

### SUPPORTING DOCUMENTATION

Document name	Document type	Location



## SECTION 5 – GOVERNANCE

### CHANGE HISTORY

Version	Approval date	Approved by	Approved by	Change
V1	02/03/2017	Board of Directors	Chair	Original
1.1	10/07/2017	Executive Dean	Head of Compliance	Updated to align with group policies and procedures

Please note:

- Printing this document may make it obsolete
- For the latest version of this policy always check the Policy site located here <http://www.aim.com.au/training/student-information>